

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NEB MORROW, III,

Plaintiff,

-v-

9:19-CV-1628
(DNH/ATB)

BAUERSFELD, Commissioner's Hearing Officer
(CHO), Auburn Correctional Facility,

Defendant.

APPEARANCES:

OF COUNSEL:

NEB MORROW, III
Plaintiff pro se
10-A-6112
Sing Sing Correctional Facility
354 Hunter Street
Ossining, NY 10562

HON. LETITIA JAMES
Attorney General for the State of New York
Attorney for Defendant
The Capitol
Albany, NY 12224

LAUREN ROSE EVERSLEY, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Neb Morrow, III brought this civil rights action pursuant to 42 U.S.C. § 1983. On August 11, 2020, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion to dismiss be denied. No objections to the Report-Recommendation were filed.

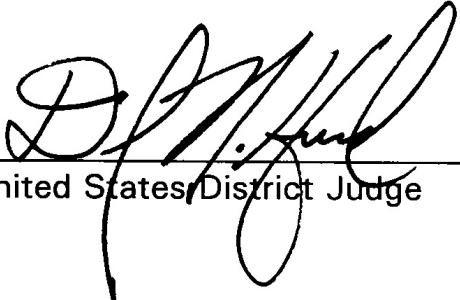
Based upon a careful review of entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Defendant's motion to dismiss is DENIED; and
2. Defendant is directed to file an answer to the Second Amended Complaint within twenty (20) days of the date of this Decision and Order.

IT IS SO ORDERED.



United States District Judge

Dated: September 2, 2020
Utica, New York.